

COPY

AO 120 (Rev. 3/04)

TO:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
-----	---	---

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court C.D. California on the following Patents or Trademarks:

DOCKET NO.	DATE FILED 8/10/2006	U.S. DISTRICT COURT C.D. California	
PLAINTIFF CV06-4972 GPS (SSx) Vertical Doors, Inc.	DEFENDANT JT Bonn, Inc., et al	<small>SEARCHED INDEXED SERIALIZED FILED AUG 10 2006 AM 11:00 CLERK U.S. DISTRICT COURT SAN JOSE CALIFORNIA</small>	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK		HOLDER OF PATENT OR TRADEMARK
1 6,845,547	1/25/2005		DeCaH, LLC
2 7,059,655	6/13/2006		DeCaH, LLC
3			
4			
5			

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
2		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
<i>See attached</i>

CLERK <i>TERRY NAFISI</i>	(BY) DEPUTY CLERK <i>Verna Hogan</i>	DATE <i>3/6/09</i>
------------------------------	---	-----------------------

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

1 NEAL M. COHEN (SBN 184978)
2 VALERIE L. SARIGUMBA (SBN 243713)
3 Vista IP Law Group LLP
4 2040 Main Street, 9th Floor
5 Irvine, California 92614
6 Tel: (949) 724-1849
7 Fax: (949) 625-8955

JS-6

5 Attorneys for Plaintiff
6 Vertical Doors, Inc.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

16 The Court finds that pursuant to Rule 54(b) of the
17 Federal Rules of Civil Procedure as to the parties and
18 claims set forth below, there is no just reason for delay in
19 the entry of judgment. Accordingly, Judgment in the above-
20 captioned consolidated actions is entered as follows:

1. KW Automotive North America, Inc.

22 a) On Vertical Doors, Inc.'s ("VDI") claim of
23 infringement of Claims 1-3 of United States Patent No.
24 6,845,547 ("the '547 Patent") against KW Automotive North
25 America, Inc. ("KW"), judgment of non-infringement is
26 entered in favor of KW.

1 b) On KW's counterclaim of non-infringement of
2 Claims 1-3 of the '547 Patent, judgment of non-infringement
3 is entered in favor of KW.

4 c) On KW's counterclaim of invalidity, the
5 counterclaim is moot and dismissed without prejudice as a
6 result of the determination of patent non-infringement, so
7 as to be preserved in the event the determination of non-
8 infringement in favor of KW is reversed, vacated, or
9 otherwise altered (See *Liquid Dynamics Corp v. Vaughan*
10 *Company, Inc.*, 355 F.3d 1361, 1370-71 (Fed. Cir. 2004)).

11 d) KW and VDI are each to bear their own costs
12 and attorney fees.

13 2. Dayton Imports Customs, LLC

14 a) The Court retains jurisdiction over defendant
15 Dayton Imports Customs, LLC, an Ohio limited liability
16 company, dba Recon Engineering, to allow VDI to apply for
17 default judgment based upon the Clerk's entry of Default
18 [Dkt. No. 45].

19 3. J T Bonn, Inc., Tony Yip, Bill Yip, and John Yip

20 On Vertical Doors, Inc.'s ("VDI") claims of infringement
21 of Claims 8-10 of United States Patent No. 6,845,547 ("the
22 '547 Patent") and claims of infringement of Claims 1-3 and
23 6-25 of United States Patent No. 7,059,655 ("the '655
24 Patent"), and claims of unfair competition under Cal. Bus. &
25 Prof. § 17200 et. seq., all against J T Bonn, Inc., Tony
26 Yip, Bill Yip, and John Yip (collectively "the JT

27

28

1 Defendants"), judgment is entered in favor of VDI and
2 against the JT Defendants as follows:

3 a) J T Bonn, Inc., Tony Yip, Bill Yip, and John
4 Yip (the JT Defendants), are jointly and severally liable to
5 Vertical Doors, Inc. (VDI) in the amount of \$151,696.00,
6 plus attorneys fees in the amount of \$416,897.17, plus pre-
7 judgment interest in the amount of \$59,076.96, plus post-
8 judgment interest at the rate of 0.69 percent per annum (the
9 one year constant Treasury maturity yield for February 23,
10 2009 as Reported by the Federal Reserve Board of Governors
11 at <http://www.federalreserve.gov/releases/h15/Current/>),
12 plus costs in the amount of _____.

13 b) The JT Defendants literally infringed Claims
14 8-10 of the '547 Patent; the infringement was not willful.

15 c) Claims 8-10 of the '547 Patent are not
16 invalid.

17 d) The JT Defendants literally infringed Claims
18 1-3 and 6-25 of the '655 Patent; the infringement was not
19 willful.

20 e) Claims 2-3, 6-8, 10-21, and 24-25 of the '655
21 Patent are not invalid.

22 f) Claims 1, 9, 22, and 23 of the '655 Patent are
23 not invalid under 35 U.S.C. § 102(b) or 35 U.S.C. § 103.

24 g) The Court granted a new trial as to the jury's
25 determination of invalidity of Claims 1, 9, 22, and 23 of
26 the '655 Patent under 35 U.S.C. § 102(a). By tender of the
27 present form of Judgment, VDI requests that the Court

1 dismiss these claims without prejudice, and the Court does
2 so.

3 h) Judgment is entered in favor of VDI on VDI's
4 claims against the JT Defendants for violation of Cal. Bus.
5 & Prof. § 17200 et seq.

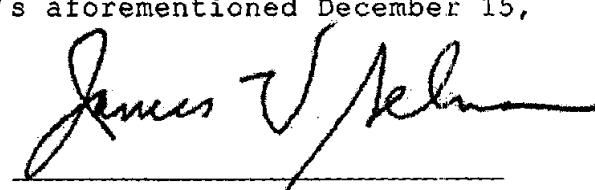
6 i) The JT Defendants are ordered to provide an
7 accounting and allow inspection of JT EVO Doors door hinges
8 and Reverse Lambo Doors door hinges as set forth in this
9 Court's Minute Orders entered December 15, 2008 [Dkt. No.
10 468 in SA CV 05-905 JVS (ANx) and Dkt. No. 113 in SA CV 06-
11 4972 JVS (ANx)], including the 10,834 EVO Doors door hinges
12 and 260 Reverse Lambo Doors door hinges referenced in the
13 Court's aforementioned December 15, 2008 Minute Orders.

14 j) Until the compensatory award of \$151,696.00
15 set forth in paragraph 3(a) above is either paid to Vertical
16 Doors, Inc. (payable to "Vista IP Law Group Client Trust
17 Account"), or bond is posted thereon, the JT Defendants are
18 enjoined from making, using, selling, or offering to sell in
19 the United States, and importing into the United States, EVO
20 Doors door hinges and Reverse Lambo Doors door hinges. *Union*
21 *Tool Co. v. Wilson*, 259 U.S. 107, 113-114, 42 S. Ct. 427, 66 L.
22 Ed. 848 (1922); *Birdsell v. Shaliol*, 112 U.S. 485, 488-489, 5 S.
23 Ct. 244, 28 L. Ed 768 (1884); *Stickle v. Heublein, Inc.*, 716 F.2d
24 1550, 1563 (Fed. Cir. 1983).

25 k) Once the compensatory award of \$151,696.00 set
26 forth in paragraph 3(a) above is paid, as evidenced by a
27 partial satisfaction filed with the Court (or upon proof by

1 motion), the JT Defendants are enjoined from making, using,
2 selling, or offering to sell in the United States, and
3 importing into the United States, EVO Doors door hinges and
4 Reverse Lambo Doors door hinges that are not accounted for
5 as having been part of the 10,834 EVO Doors door hinges or
6 260 Reverse Lambo Doors door hinges referenced in paragraph
7 3(i) above and in the Court's aforementioned December 15,
8 2008 Minute Orders.

9
10 DATED: March 04, 2009



11 Honorable James V. Selna
12 United States District Judge

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I served the foregoing document described as **[PROPOSED] FINAL JUDGMENT SUBMITTED BY VERTICAL DOORS, INC.** to all parties to this action as set forth below, on the date set forth below, in the manner(s) checked below.

5 By the Court's ECF system

6 By mail service to their attorney(s) of record, at the
7 following address(es), on the date set forth below.

8 By e-mail service to their attorney(s) of record, at
9 the following email address(es), on the date set forth
below.

10 By fax service to their attorney(s) of record, at the
following fax number(s), on the date set forth below.

12 **Counsel for JT Bonn; Tony Yip; Bill Yip; John Yip**
13 J. Grant Kennedy (grant@jgrantkennedy.com) TEL (805) 374-0010
107 N. Reino Road, #410
13 Newbury Park, CA 91320

15 Executed December 29, 2008, Irvine, California.

/nmcohen/